



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.12.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.23047 of 2021

K.Pandiammal @ Kannaki

... Petitioner

Vs.

1.The Additional Director General of Police(Prisons) /
The Inspector General of Prisons,
CMDA Tower-II, No.1, Gandhi Irwin Road,
Egmore, Chennai.

2.The Superintendent of Prison,
Cuddalore Central Prison,
Cuddalore District.

3.The Superintendent of Prisoner,
Madurai Central Prison,
Madurai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to transfer the petitioner's son by name, Vijay @ Kuruvi Vijay son of Kannan aged about 23 years, now confined at the second respondent Prison to third respondent Central Prison hospital for better treatment by considering the petitioner's representation, dated 20.12.2021 within the time stipulated by this Court.

For Petitioner : Mr.I.Sabeer Mohamed

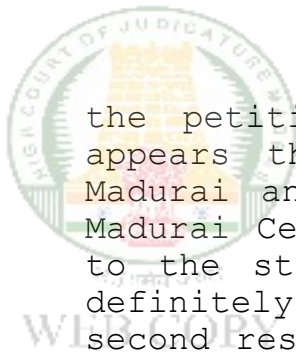
For Respondents : Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2. The petitioner's son is presently confined in Central Prison, Cuddalore. According to the petitioner, her son is having certain serious medical issues and that therefore, he should be transferred to Central Prison, Madurai. This request is opposed by the respondents. The learned Additional Public Prosecutor produced a copy of the proceedings, dated 03.05.2019 issued by the Inspector General of Prisons, in which, it has been specifically stated that



the petitioner should be kept in Central Prison, Cuddalore. It appears that the petitioner is involved in quite few cases in Madurai and that therefore it would not be safe to shift him to Madurai Central Prison. In such matters, this Court ought to defer to the stand taken by the executive. However, the petitioner is definitely entitled to appropriate medical treatment. Therefore, the second respondent is directed to shift the petitioner's son to the convict ward in Government Hospital, Cuddalore, so that, he can be given appropriate treatment. This Writ Petition is disposed of on these terms. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Additional Director General of Police(Prisons) /
The Inspector General of Prisons,
CMDA Tower-II, No.1, Gandhi Irwin Road,
Egmore, Chennai.
- 2.The Superintendent of Prison,
Cuddalore Central Prison,Cuddalore District.
- 3.The Superintendent of Prisoner,
Madurai Central Prison,
Madurai.
4. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

Copy to

The Government Hospital, Cuddalore (the convict ward)

W.P. (MD) .No.23047 of 2021
23.12.2021

SK(CO)

KB(07.01.2022) 2P 6C

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